IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24529 of 2004

Between:

Rehana Begum, W/o. Late Mohd. Ariffuddin,
R/o. Boath, Post & Mandal, Adilabad District.

..... PETITIONER

AND

1 A.P.S.R.T.C., rep. by its Regional Manager, Adilabad.
2 The Depot Manager, APSRTC, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or order or direction especially one in the nature of Writ of Mandamus; i) declare the action of the respondents in not providing employment on compassionate grounds either as conductor or any other suitable post as illegal & arbitrary. ii) consequently direct the respondents to provide the petitioner appointment on compassionate grounds either as conductor or any other suitable post. iii) and pass any such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.VASUDEVA REDDY

Counsel for the Respondents: SMT.P.RAJANI REDDY

The Court at the admission stage, made the following:

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24529 of 2004

ORDER:

For not providing the employment to the petitioner on compassionate grounds, the present writ petition is filed.

2. The learned counsel for the petitioner contended that the husband of the petitioner died on 15-01-2001 while on duty, due to heart attack, leaving the petitioner and three minor children besides the old aged mother-in-law and therefore since the petitioner is facing hardships to maintain entire family, a direction may be given to the respondents-Corporation to consider the case of the petitioner in accordance with the rules and regulations of the Corporation.

3. On the other hand, the learned standing counsel appearing for the respondent-Corporation contended that the petitioner himself sought for grant of additional monetary benefits and therefore, the petitioner is not entitled for appointment on any compassionate grounds.

4. The facts are not in dispute. However, the fact remains that the petitioner has not taken any additional monetary benefit. The issue relates to the question as to whether the petitioner is entitled for any suitable post on compassionate grounds is required to be decided by the respondent-Corporation in accordance with the rules and regulations of the Corporation. Therefore, I deem it consider to dispose of the writ petition with a direction to the respondent-Corporation.

5 . Accordingly, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioner to appoint her in any suitable post on compassionate grounds in accordance with the rules and regulations within a period of three months from the date of receipt of a copy of this order. In the circumstances, there shall be no order as to costs.

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December 29, 2004

Note:

Issue C.C. in one week.

B/o.

Kvr

To

1. The Regional Manager, A.P.S.R.T.C., Adilabad.
2. The Depot Manager, APSRTC, Adilabad.

3. Two C.D copies.